

IN THE CLAIMS:

~~Cancel Claims 1-23 and 25-34.~~

REMARKS

In response to the Final Rejection, Applicants are filing a Continued Prosecution Application (CPA) Request Transmittal herewith. Accordingly, it is requested that this amendment be entered. Applicants are also preparing and will be filing in the near future a further amendment and request that the Examiner not further examine the application until Amendment C has been received by the Patent and Trademark Office.

Applicants will now address each of the Examiner's objections and rejections in the order in which they appear in the Final Rejection.

I. Drawings

In the Final Rejection, the Examiner objects to the drawings under 37 CFR §1.83(a) as allegedly not showing every feature specified in the claims. In particular, the Examiner states that the first color filter, second color filter and third color filter must be shown or the feature canceled from the claims. The Examiner further states that the figures only show one color filter 2301. This objection is respectfully traversed.

At page 96 of the specification describing Fig. 28A, it states:

"Embodiment 25 [i.e. Fig. 28A] has a structure in which a color filter 2301, which is colored with the three primary colors R, G, and B, is formed between a pixel TFT and a pixel electrode. The R, G, B color matrix may have a stripe shape or a mosaic shape."

Applicants respectfully submit that at least this language in the specification clearly shows a first color filter (e.g. primary color R), a second color filter (e.g. primary color G) and a third color

(e.g. primary color B) and therefore clearly supports the limitation in the claims. Accordingly, Applicants request that this objection be withdrawn.

II. Specification

In the Office Action, the Examiner objects to the title and suggests a new title. Applicants have amended the title and request that this objection now be withdrawn.

The Examiner also objects to the "amendment filed 1/29/02" (with a certificate of mailing dated December 7, 2001) as introducing new matter. In particular, the Examiner believes that the added material of a first color filter, second color filter and third color filter is not supported in the specification as filed. The Examiner then states that the specification only discloses one color filter. This rejection is respectfully traversed.

For the reasons discussed above, the drawings and specification clearly support this feature. Hence, it is not new matter, and it is requested that the rejection be withdrawn.

III. Claims Rejections - 35 USC §112

The Examiner further rejects to Claims 42-45 under 35 U.S.C. §112, first paragraph, as containing subject matter which is not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention. In particular, the Examiner states the specification does not disclose a first color filter, second color filter and third color filter, but only discloses one color filter. This rejection is also respectfully traversed.

For the reasons discussed above, the drawings and specification clearly support this feature. Hence, there is sufficient disclosure for this feature of the claims, and it is requested that the rejection be withdrawn.

IV. Claims Rejections - 35 USC §102

The Examiner also rejects Claims 1, 4, 6, 8, 10, 12, 14, 18, 22, 25, 29, 31 and 33 under §102(e) as being anticipated by Yamazaki et al. '226. The Examiner further rejects Claims 1-10, 12, 14, 18, 20, 22, 23, 25, 27-29 and 31-33 under §102(b) as being anticipated by Sato et al. '485. As these claims have now been canceled, the rejections of these claims are now moot.

V. Claims Rejections - 35 USC §103

The Examiner also has the following rejections under 35 U.S.C. §103(a):

1. Claims 11, 13, 15, 19, 21, 26, 30 and 35 as being unpatentable over Miyazaki et al. '290 in view of Sato et al. '485 in view of Kunii et al. '493.
2. Claim 16 as being unpatentable over Sato et al. '485 and further in view of Zhong et al. '721.
3. Claim 17 as being unpatentable over Miyazaki et al. '290 in view of Sato et al. '485 in view of Kunii et al. '493 and further in view of Zhong et al. '721.
4. Claims 42-45 as being unpatentable over Sato et al. '485 in further view of Zhong '721.

As Claims 11, 13, 15-17, 19, 21, 26, 30 and 35 have been canceled herein, the rejections of these claims are now moot.

With regard to the rejection of Claims 42-45 over Sato and Zhong, the Examiner merely argues that it would be obvious to have the color filters of Zhong in Sato's invention. It is respectfully submitted that this is an improper rejection.

The Court of Appeals for the Federal Circuit has stated that in order to combine references, there must be some motivation, teaching or suggestion in the references to combine them. See, e.g. Ecolochem Inc. v. Southern California Edison, 56 USPQ2D 1065, 1072-1076 (Fed. Cir. 2000).

Absent such motivation, teaching or suggestion, the combination of the references is improper. Id. In such a situation, such references can only be combined through improper hindsight reconstruction.

The statement in the Final Rejection that "It would have been obvious..." is insufficient to meet the Examiner's burden with regard to showing the proper motivation, teaching or suggestion in which to combine references. Since such motivation, teaching or suggestion is absent with regard to the cited references, the combination of these references is improper, and the rejection based thereon is improper. Accordingly, it is respectfully requested that this rejection now be withdrawn.

Conclusion

It is respectfully submitted that all of the rejections and objections in the Final Rejection have now been overcome. Applicants are presently preparing Amendment C. After this amendment has been filed, the application should be in a condition for allowance.

If any fee is due for this amendment, please charge our Deposit Account No. 50-1039.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

Date: *September 24, 2002*



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Marked-up copy of the amendments herein:

IN THE TITLE:

Please amend the title as follows:

Semiconductor Device Comprising A Thin Film Transistor And Method of Manufacturing
The Same